

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION

Edward S. Danks, Sr., and
Georgianna Danks,

Plaintiffs,

v.

Ryan Zinke, Secretary of the
Department of Interior, United States
Department of the Interior, Bureau of
Indian Affairs, and the United States
of America,

Defendants.

Case No. 1:17-cv-115

**UNITED STATES’
MOTION TO DISMISS**

The United States of America, by Christopher C. Myers, United States Attorney for the District of North Dakota, and Melissa Helen Burkland and James Patrick Thomas, Assistant United States Attorneys, on behalf of Ryan Zinke, Secretary of the Department of the Interior, the United States Department of the Interior; Bureau of Indian Affairs, and the United States of America, (“United States”) moves this court to dismiss Plaintiffs’ Petition for Declaratory Relief, Temporary Restraining Order, Injunction [sic] Relief, and a Writ of Mandamus (“Petition”) for lack of jurisdiction.

This motion is brought pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure and based upon the memorandum of law filed herewith, and all the files and proceedings in this case.

Dated: August 21, 2017

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